

REMARKS/ARGUMENTS

Claims 1-4, 6-7, 9-12, 14-15, 17-20, and 22-23 have been examined and rejected. Claims 7, 15, and 23 have been objected to. The present response cancels claims 7, 15, and 23. Accordingly, claims 1-4, 6, 9-12, 14, 17-20, and 22 are now pending. Reconsideration and allowance of all pending claims are respectfully requested.

The Examiner has objected to the drawings because the reference numbers are handwritten. In response, revised formal drawings are being submitted herewith. The objection is therefore overcome. The formal drawings also incorporate corrections to Figs. 1-2 to eliminate duplication of reference numbers. To highlight the changes, copies of the originally submitted Figs. 1-2 with the corrections marked in red ink are filed herewith. The Specification has also been amended to correct this duplication.

Claims 7, 15, and 23 have been objected to as being of improper dependent form. To expedite prosecution, these claims are being cancelled. This objection is therefore also overcome.

Claims 1-4, 6, 9-12, 14, 17-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,433,921 issued to Wu, et al. (hereinafter "Wu") in view of U.S. Patent No. 6,417,961 issued to Sun, et al. (hereinafter "Sun") and U.S. Patent No. 6,339,665 issued to Danziger (hereinafter "Danziger"). It is respectfully submitted that the rejected claims are in fact patentable over the art of record and the rejection should therefore be withdrawn.

Claims 1, 9, and 17, as pending incorporate the subject matter of previously cancelled claims 8, 16, and 24. The Examiner had previously indicated that these cancelled dependent claims were directed towards allowable subject matter. In the most recent Office Action, the Examiner withdraws this indication of allowability and states that "after further review of the Wu et al. reference, Examiner concluded that the limitations expressed in claims 8, 16 and 24 are in fact anticipated by the Wu et al. reference." The undersigned disagrees with the Examiner's

contention concerning the relationship between the subject matter of previous cancelled claims 8, 16 and 24 and the Wu patent.

In claim 1, for example, the limitation in question states **“wherein said pump energy provided by said first laser pump traverses said second dispersion compensating fiber before entering said first dispersion compensating fiber via a Bragg fiber grating that reflects optical energy at said first wavelength and transmits other optical energy.”** The rejection points to the Abstract, column 12, and Fig. 34 of Wu as disclosing this limitation found in claim 1. Review of the Wu patent shows, however, that gratings there are being used within a semiconductor device 62 that implements functionality of Raman pumps 20 and/or an external power amplifier stage 86. Referring now to the figures of the Wu patent, gratings 110 are shown in Fig. 17 which is a side view of structural details of semiconductor device 62. Column 8, lines 60 and following explain that semiconductor device 62 is used to generate pump light for multi-wavelength Raman pump 20.

There is no disclosure or suggestion of positioning a Bragg fiber grating such that pump energy traverses one dispersion compensating fiber before entering another dispersion compensating fiber via the grating where the grating reflects optical energy at a wavelength of the pump energy. This feature is found in all of the independent claims. With this understanding of the teaching of the Wu patent in mind, the Examiner is requested to restore the indicated allowability of the independent claims. The dependent claims are then allowable for at least the reason of their dependence from the allowable independent claims.

Conclusion:

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference

Appl. No. 09/944,244
Amd. Dated December 26, 2003
Reply to Office Action of August 26, 2003

would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dan H. Lang".

DAN H. LANG
Reg. No. 38,531

RITTER, LANG & KAPLAN LLP
12930 Saratoga Ave., Suite D1
Saratoga, CA 95070
Tel: 408-446-8690
Fax: 408-446-8691

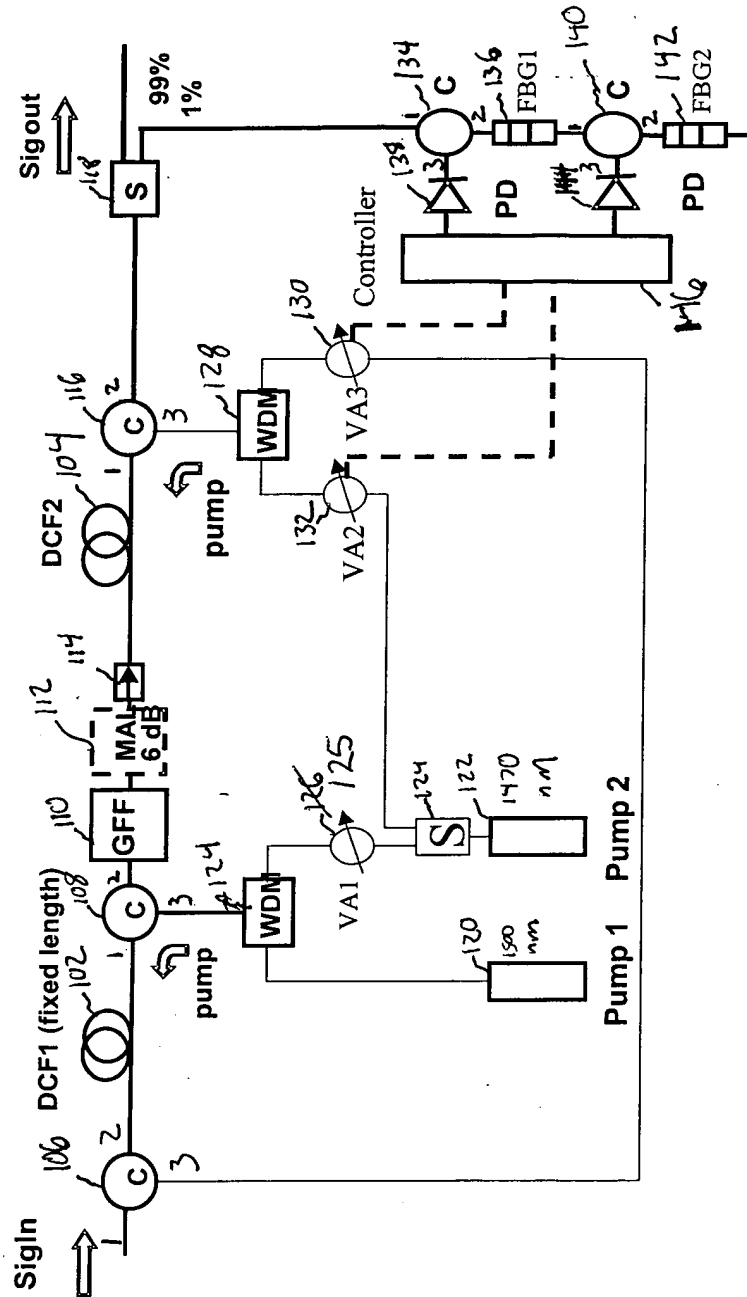


Fig. 1



200
7

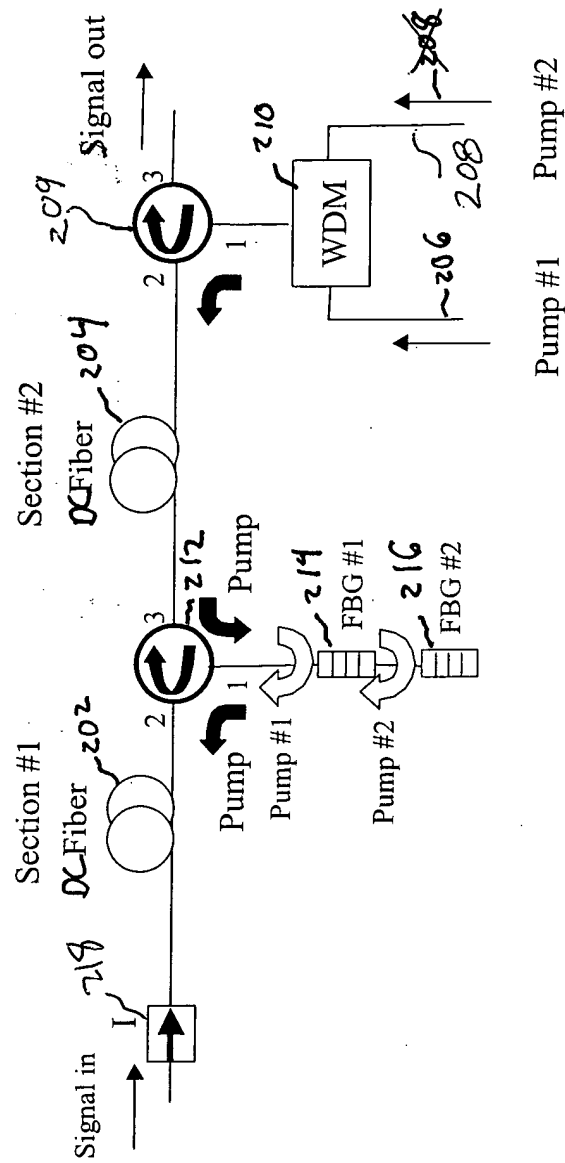


Fig. 2

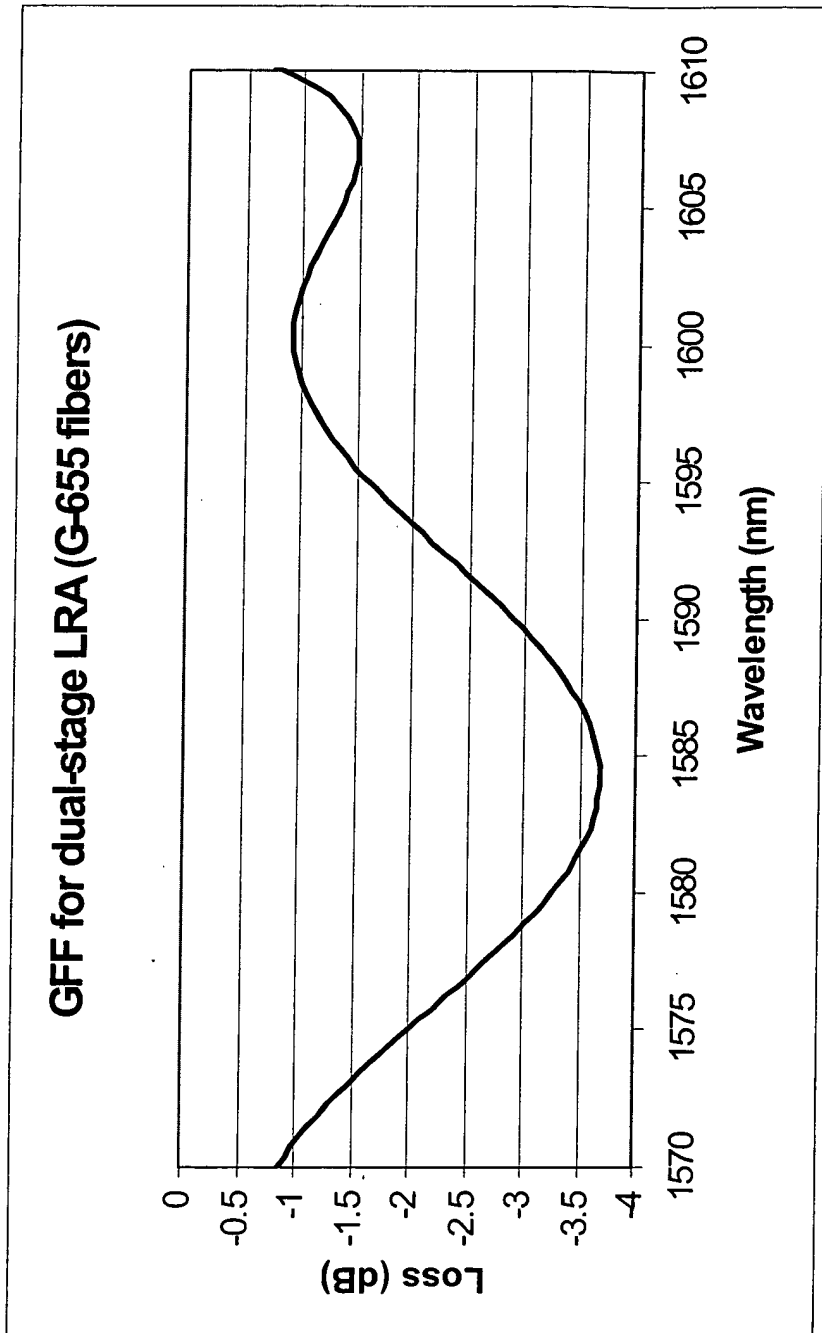


Fig. 3

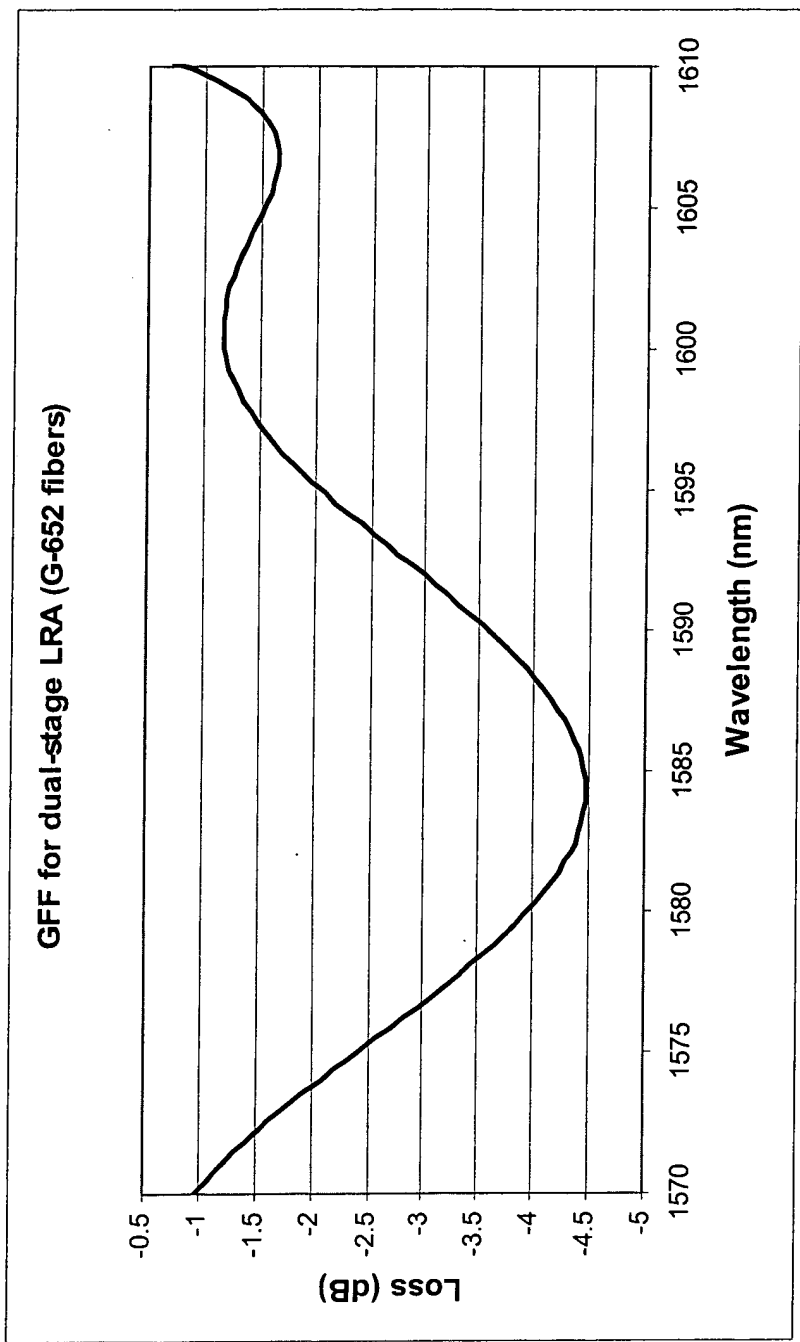


Fig. 4